



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,622	01/31/2008	Rudolf Benecke	BARDP0137US	3936

23908 7590 06/23/2011  
RENNER OTTO BOISSELLE & SKLAR, LLP  
1621 EUCLID AVENUE  
NINETEENTH FLOOR  
CLEVELAND, OH 44115

EXAMINER
----------

HOLLY, JOHN H

ART UNIT	PAPER NUMBER
----------	--------------

3694

MAIL DATE	DELIVERY MODE
-----------	---------------

06/23/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,622	<b>Applicant(s)</b> BENECKE, RUDOLF	
	<b>Examiner</b> JOHN H. HOLLY	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(c)/Mail Date <u>04/11/2011</u>  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

This Office Action is in response to an AMENDMENT entered April 11, 2011 for the patent application 10/597,622.

### **Information Disclosure Statement**

1. The information disclosure statement (IDS) submitted on 04/11/2011 was filed after the mailing date of the Non-Final Office Action on October 13, 2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

### **Status of Claims**

2. Claims 1 – 13 are pending in the Application.  
Claims 1 – 12 are amended in the Application.  
Claim 13 has been added in the Application.

### **Response to Arguments**

3. Applicant's arguments filed April 11, 2011 with respect to claims 1 – 12 have been fully considered but are moot in view of the new ground(s) of rejections.

A review of the claims and updated search necessitated the rejections below.

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1 – 3 and 7 – 13 are rejected under 35 U.S.C. 103(a)** as being obvious over Kenneth Thompson (Pat. # US 5,308,120 – herein referred to as Thompson) in view of James R. Egan (Pat. # US 4,568,403 – herein referred to as Egan).

**Re: Claim 1**, Thompson discloses a modular information system, in particular an advertising system, comprising:

- a. a cash point roll having printable sections (Thompson, col. 2, lines 15 – 37 – The coupon card is fabricated from two laminated layers of paper or paper-like material, a clear plastic protective film, and an adhesive coating. The base layer is fabricated from a special paper. An adhesive layer is applied to one side of the base layer. The layer, which will form the peel off coupon layer, is then affixed to the layer of adhesive material. The finished tow layered sheet is held together by adhesive material. The layered sheet is produced as a large single sheet or as roll of the material. The sheet or roll is then sent to the printer. The printer applies printer's ink to both sides of the sheet to form the desired printed matter on both sides of the sheet. After the printer's ink transfer process has been completed, the top side of the sheet has the requested identification or advertising matter printed on it.);
- b. a set of separate, substantially identical information carriers, wherein each information carrier has a surface for attachment thereto of a section of the cash point roll (Thompson, col. 5, lines 41 – 61 – The top face of the liner which contains the advertising usually has a plastic film to cover the advertising to give a more durable and

Art Unit: 3694

shiny surface to the card. The printer prints the advertising on the face of the sheet in sections so that the cards can be cut separately and then on the bottom face of the material the appropriate coupons are printed on the card in the appropriate spaces. After the printing has taken place, then the top face of the tag liner is covered with the durable plastic liner and also the coupons are die-cut during the printing process.).

However, Thompson does not expressly disclose a bonding element arranged on at least each section, wherein the bonding element is suitable to connect a printed section and a separate information carrier to one another in a manually releasable manner.

In a similar field of endeavor, Egan discloses a bonding element arranged on at least each section, wherein the bonding element is suitable to connect a printed section and a separate information carrier to one another in a manually releasable manner (Egan, col. 3, lines 18 – 35 – a laminated member which includes two sheets of transparent plastic that are releasably jointed by pressure and heat without any adhesive to provide a bonding force there between which is greater than the bonding force between the layer of pressure-sensitive adhesive and release backing sheet but less than the bonding force between the pressure-sensitive adhesive and most surfaces on which the laminated member is attached so that the two sheets of plastic can be separated with one side of the removed portion being covered by one of the transparent plastic sheets to exposed printed indicia thereon and with the other plastic sheet remaining on the surface to which the laminated member had been attached to cover the pressure-sensitive adhesive, thereby eliminating any adhesive being exposed on either the separated or remaining portions of the laminated member.).

Therefore, the ordinary practitioner of the art at the time of the invention would have found it obvious to combine the above selected teachings of Egan and Thompson with the practitioner's own knowledge in order to disclose a bonding element arranged on at least each section, wherein the bonding element is suitable to connect a printed section and a separate information carrier to one another in a manually releasable

Art Unit: 3694

manner, motivated by the desire to provide a laminated member in which one or both surfaces of a portion of the member is covered with a sheet of transparent plastic which protect printed indicia thereon from subsequent alteration and disfiguration (Egan, col. 2, lines 53 - 66).

**Re: Claim 2,** Thompson discloses a modular information system according to claim 1, wherein the bonding element is formed as an adhesive film, which at least covers one or more parts of the backside of the respective section (Thompson, col. 6, lines 1 -10); (Thompson, col. 5, lines 16 – 26 – The back side 35 of the sheet 30 has a layer of adhesive 40 applied to it.).

**Re: Claim 3,** Thompson discloses a modular information system according to claim 1, wherein the bonding element is formed as a bonding film, which at least in part forms an information communicating symbol (Thompson, col. 4, lines 57 – 65).

**Re: Claim 7,** Thompson in view of Egan discloses a modular information system according to claim 3, wherein the bonding film is formed of a visible but at the same time transparent material, so that additional information is visible on the backside of the cash point roll (Egan, col. 3, lines 18 – 35).

The rationale for support of motivation, obviousness and reason to combine see claim 1 above.

**Re: Claim 8,** Thompson in view of Egan discloses a modular information system according to claim 1, wherein the substantially identical information carriers respectively comprise one or more pages of paper (Egan, col. 2, lines 5 - 19).

The rationale for support of motivation, obviousness and reason to combine see claim 1 above.

Art Unit: 3694

**Re: Claim 9**, Thompson discloses a modular information system according to claim 1, wherein the information carrier has an envelope format of 22cm x 11 cm (Thompson, col. 5, lines 34 – 53).

**Re: Claim 10**, Thompson discloses a modular information system according to claim 1, wherein the information carriers are provided as in set of information carriers substantially corresponding in number with the number of printable sections of the cash point roll (Thompson, col. 2, lines 15 – 45).

**Re: Claim 11**, Thompson in view of Egan discloses a modular information system according to claim 1, wherein the bonding element is formed as a coating which may be activated by UV light, heat or other activating modality (Egan, fig. 3, col. 6, lines 52 – 65).

The rationale for support of motivation, obviousness and reason to combine see claim 1 above.

**Re: Claim 12**, Thompson in view of Egan discloses a modular information system according to claim 1, wherein the bonding element is formed as a magnetically and/or electrostatically loaded area of the printable sections (Egan, col. 9, lines 51 – 68).

The rationale for support of motivation, obviousness and reason to combine see claim 1 above.

**Re: Claim 13**, Thompson discloses a modular information system according to claim 1, wherein the surface of each information carrier has a surface area larger than an average section of the cash point roll (Thompson, col. 4, lines 57 – 67).

6. **Claims 4 – 6 are rejected under 35 U.S.C. 103(a)** as being obvious over Kenneth Thompson (Pat. # US 5,308,120 – herein referred to as Thompson) in view of

Art Unit: 3694

James R. Egan (Pat. # US 4,568,403 – herein referred to as Egan) and further in view of Norbert Schneider et al. (Pat. # US 6,030,118 – herein referred to as Schneider).

**Re: Claim 4**, Thompson in view of Egan discloses a modular information system according to claim 3.

However, Thompson in view of Egan does not expressly disclose wherein the bonding film forms one or more characters.

In a similar field of endeavor, Schneider discloses wherein the bonding film forms one or more characters (Schneider, col. 7, lines 56 - 66); (Schneider, col. 8, lines 56 – 62 – a moving film web serves as a base film (5) and is printed on one side with the desired pattern or provided with a surface coating and embossed and subsequently coated with a hot melt adhesive in a lattice structure in the embossed areas, the desired geometry of the indicator being appropriately established.).

Therefore, the ordinary practitioner of the art at the time of the invention would have found it obvious to combine the above selected teachings of Schneider and Thompson in view of Egan with the practitioner's own knowledge in order to discloses wherein the bonding film forms one or more characters, motivated by the desire to provide a plurality of units, the suspensions, for example, having transitions at different temperatures, so that it is subsequently possible to determine which temperature has been exceeded or reached (Schneider, col. 8, lines 20 - 34).

**Re: Claim 5**, Thompson in view of Egan discloses a modular information system according to claim 4, wherein the bonding film forms periodically repeating symbols, which are arranged in such a way that at a minimum size of a section of the cash point roll at least one symbol is arranged on the backside of section (Schneider, cols. 7 - 8, lines 56 - 4).



Art Unit: 3694

The rationale for support of motivation, obviousness and reason to combine see claim 4 above.

**Re: Claim 6**, Thompson in view of Egan discloses a modular information system according to claim 5, wherein the bonding film at least in forms an information communicating symbol in mirror-inverted orientation (Schneider, col. 5, lines 3 - 10). The rationale for support of motivation, obviousness and reason to combine see claim 4 above.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN H. HOLLY whose telephone number is (571)270-3461. The examiner can normally be reached on Mon. - Fri. 8 AM to 5 PM.

Art Unit: 3694

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571)272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. H. H./

Examiner, Art Unit 3694

/Kambiz Abdi/

Supervisory Patent Examiner,  
Art Unit 3694